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MEMC 000051/2651.5
PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of John D. Holder
Serial No. 10/036,875
Filed October 23, 2001
Confirmation No. 5192
For PROCESS FOR PRODUCING A SILICON MELT
Examiner Robert M. Kunemund

Art Unit 1765

August 25, 2003

RESPONSE TO OFFICE ACTION

TO THE COMMISSIONER FOR PATENTS,

SIR/MADAM:

This letter is in response to the Office Action dated June 4, 2003.

A. Status of Claims

Claims 1-30 are pending in this application. Claims 1-30 have been rejected under the judicially-created doctrine of obviousness-type double patenting, as being unpatentable over claims 1-12 of U.S. Patent No. 6,344,083, and provisionally rejected over claims 50-72 of co-pending Application Serial No. 09/943,600.

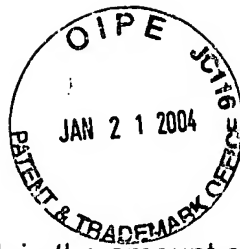
B. Obviousness-type Double Patenting Rejection

* Applicant has enclosed herewith a Terminal Disclaimer in accordance with 37 CFR 1.130(b) and 37 CFR 1.321(c) to obviate the rejection. Accordingly, Applicant respectfully requests the obviousness-type double patenting rejections be withdrawn.

Conclusion

Applicant respectfully submits that claims 1-30, which are now pending in this application, satisfy the requirements for patentability. Favorable reconsideration and allowance of these claims are therefore respectfully requested.

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* Enclosed is a check in the amount of \$110.00 in payment of the fee for the submission of a Statutory Disclaimer. The Commissioner is hereby authorized to charge any under payment or credit any over payment to Deposit Account No. 19-1345.

Respectfully submitted,

A handwritten signature in cursive script that reads "Derick E. Allen".

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